



City of Seattle

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Gregory J. Nickels, Mayor

**Department of Design, Construction and Land Use**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 2206479

**Applicant Name:** Debora Goodman for Curtis O'Connor

**Address of Proposal:** 6027 Fauntleroy Way Southwest

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide two parcels into six parcels of land (unit lot subdivision). Proposed parcel sizes are: Parcel 1A) 1,444 square feet; Parcel 1B) 1,609 square feet; Parcel 1C) 2,448 square feet; Parcel 2A) 1,983 square feet; Parcel 2B) 1,454 square feet; and Parcel 2C) 2,063 square feet.

Construction of a two-unit townhouse on one of the parent lots (6027 Fauntleroy Way SW) has been approved under a related construction permit (Master Use Permit #2204984). In addition, a two-unit townhouse on the other parent lot (6033 Fauntleroy SW) has been approved under a separate construction permit (Master Use Permit #2107339). An existing single-family residence is to remain on each of the two parent lots.

The following approval is required:

**Short Subdivision** - To divide two parcels of land into six parcels of land (unit lot subdivision) (Seattle Municipal Code (SMC) Chapter 23.24).

**SEPA DETERMINATION:**      ☒ Exempt   ☐ DNS   ☐ MDNS   ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition,  
or involving another agency with jurisdiction.

## **BACKGROUND DATA:**

### **Site and Vicinity**

The subject site is located in West Seattle on the west side of Fauntleroy Way Southwest between Southwest Raymond Street and Southwest Graham Street. The site is composed of two 5,500-square foot parcels (“parent lots”) with a combined 100 feet of street frontage on Fauntleroy Way Southwest. The parcels also abut a 16-foot wide, paved alley.

The vicinity is developed primarily with single-family and multi-family residences. The lot to the immediate north of the site is developed with a triplex; the lot to the south is developed with a single-family residence.

The site is located in a Residential, Multifamily, Lowrise Duplex/Triplex (LDT) zone, which has a 25-foot base height limit. A residential multifamily lowrise 2 (L2) zone is located on the east side of Fauntleroy Way Southwest, and a residential Single-family 5000 (SF5000) zone is located to the rear of the site across the alley.

The site is currently occupied by two single-family residences – one on each of the two parent lots. Construction of a two-unit townhouse on one of the parent lots (6027 Fauntleroy Way SW) has been reviewed under a related construction permit (Master Use Permit #2204984), and a second structure with two townhouses has been approved on the other parent lot (6033 Fauntleroy SW; Master Use Permit #2107339).

The site is not located in a mapped or identified environmentally critical area as defined by the City of Seattle.

### **Project Proposal**

The proposal is for the unit subdivision of two existing 5,500-square foot parcels into six parcels of land such that each single-family residence and townhouse unit would be located on a separate lot. Proposed parcel sizes are: Parcel 1A) 1,444 square feet; Parcel 1B) 1,609 square feet; Parcel 1C) 2,448 square feet; Parcel 2A) 1,983 square feet; Parcel 2B) 1,454 square feet; and Parcel 2C) 2,063 square feet.

Proposed Parcels 1B, 1C, 2A, and 2C would have street frontage on Fauntleroy Way SW. Parcels 1A and 2B would be accessed via the 16-foot wide, paved alley located along the rear of the site. Six parking spaces, serving all six dwelling units, would be accessed via the alley.

Open space requirements for the six units were reviewed under the related construction permits for the two parent lots (Master Use Permit #2107339 and 2204984). Private open space is proposed for all six unit lots.

### Public Comments

The 14-day public comment period ended on October 24, 2002. One written comment was submitted regarding concerns related to increased traffic in the area and on the West Seattle bridge.

### **ANALYSIS - SHORT SUBDIVISION (UNIT SUBDIVISION)**

Section 23.24.040 of the Land Use Code outlines the criteria for approval of a short plat. No short plat shall be approved unless all of the following facts and conditions are found to exist. Based on the information provided by the applicant, referral comments from DCLU, Seattle Public Utilities, Seattle Fire Department, and Seattle City Light, and review of the proposal by the Land Use Analyst, the following findings are made with respect to the criteria cited below:

*1. Conformance to the applicable Land Use Code provisions;*

The two underlying developments were reviewed for strict compliance with the development standards contained in the Land Use Code including residential density, setbacks, structure height, lot coverage, on-site parking, landscaping, and all other applicable requirements. The proposed unit subdivision is for ownership of individual townhouses and single-family residences only.

*2. Adequacy of access for vehicles, utilities, and fire protection as provided in Section 23.53.005;*

All six proposed unit lots would obtain access to parking from the 16-foot wide, paved alley that abuts the site to the rear (west).

Fauntleroy Way Southwest is fully improved along the site frontage with curb, gutter, and sidewalk. Pedestrian access to the unit lots would be obtained from either the street or from the alley. In addition, the applicant has proposed a three-foot wide pedestrian access easement running east-west to provide a pedestrian connection from the alley to the street. Vehicular access to all six parking spaces would be from the abutting alley.

The Seattle Fire Department has reviewed the proposed lot configuration with regard to fire protection and emergency vehicle access and has no objection. No improvements were requested by the Fire Department.

All private utilities are available in this area. Seattle City Light reviewed the proposal and requested provision of an easement for electric service to the proposed lots. This requirement should be included as a condition of the short plat.

As conditioned, this short plat provides for adequate access for vehicles, utilities, and fire protection.

*3. Adequacy of drainage, water supply and sanitary sewage disposal;*

The proposal was reviewed for sanitary sewer requirements. The existing single-family residence on parent lot #1 (6027 Fauntleroy Way SW) is connected by means of a twinned sidesewer (also serving the property to the north addressed as 6021 Fauntleroy Way SW) to a 48-inch public sanitary sewer (PSS) located in Fauntleroy Way Southwest. The existing single-family residence on parent lot #2 (6033 Fauntleroy Way SW) is also connected to the 48-inch PSS by means of a twinned sidesewer and also serves the property to the south addressed as 6037 Fauntleroy Way Southwest. This mainline was originally installed as a combined sewer, and as such, there are likely to be downspouts and area drains still connected to what is now considered, for purposes of redevelopment, a sanitary sewer.

The proposed unit lot subdivision was also reviewed for drainage requirements. As noted above, this area has been separated with the installation of a 48-inch public storm drain (PSD) on the near (west) side of Fauntleroy Way Southwest. This mainline discharges to a Designated Receiving Water.

Seattle Public Utilities reviewed the application, and Water Availability Certificate No. 2002-1070, issued on October 10, 2002, documents the adequacy of water supply. The Certificate requires that easements be recorded allowing underground water service to all unit lots with no frontage on Fauntleroy Way SW. Finally, the short plat must be approved and addresses assigned prior to ordering additional water meters.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed unit subdivision allows the creation of separate lots of record for transfer of title of townhouses and single-family residences. The proposal is consistent with the intent of the relevant LDT Policies, and meets the minimum subdivision standards of the Seattle Land Use Code. The proposed unit subdivision, as conditioned, would have adequate access for vehicles and utilities. In addition, the subdivision would have adequate drainage, water supply and sanitary sewer disposal. Consequently, the public use and interest would be served by permitting the proposed subdivision of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, Short Subdivisions and Subdivisions, in environmentally critical areas;*

Because the site is not located in an environmentally critical area, the unit lot subdivision is not subject to the provisions of the Critical Areas Ordinance.

6. *Is designed to maximize the retention of existing trees;*

The development of the two parent lots was reviewed under related construction permits (Master Use Permits #2107339 and 2204984); therefore, compliance with tree retention and tree planting requirements was reviewed under these two permits.

7. *Conformance to the applicable provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Because the short plat subdivision is proposed for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses and single-family residences, consideration of SMC 23.24.045, Unit Lot Subdivisions, is necessary. The provisions of SMC Section 23.24.045 are as follow:

- “A. The provisions of this section apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, residential cluster developments, and single-family residences in zones where such uses are permitted.”*

The subject proposal would establish separate lots for four townhouse units and two single-family residences on two parent lots in an LDT zone, thus falling within the purview of SMC Section 23.24.045.

- “B. Sites developed or proposed to be developed with dwelling units listed in subsection A above, may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.”*

The lot lines established by this short plat are largely dictated by the location of the units and associated open space areas. Approval of the townhouse developments pursuant to Master Use Permits #2107339 and 2204984 demonstrates that the developments as a whole satisfy the applicable development standards and meet applicable open space requirements.

- “C. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.”*

In order to assure proper control of future platting actions, additions or modifications to structure(s) on the subject site, a condition will be required on the face of the plat as outlined under Criterion ‘F’ below.

- “D. Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.”*

To ensure that future landowners have constructive notice of the use and maintenance responsibilities associated with having shared property, in particular common walls and

easements, a condition of approval prior to the individual transfer or sale of any lots shall require that such information be disclosed.

“E. *Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of the King County Department of Records and Elections.*”

Parking for all six units would be accessed from the 16-foot wide, paved alley abutting the rear (west) of the site. Proposed parking easements would assure legal access for each unit to its parking space.

“F *The facts that the unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of the King County Department of Records and Elections.*”

Review of this site plan shows that the proposed short subdivision conforms to applicable standards of SMC 23.24.045 and applicable standards for unit subdivisions for townhouses and single-family residences in the LDT Zone. To assure that future owners have constructive notice that additional development may be limited, the following statement shall be required to be included as a note on the final short subdivision: *“The unit lots shown on this site are not separate buildable lots. The dwelling units constructed on Parcels 1A, 1B, 1C, 2A, 2B, and 2C are non-conforming structures permitted pursuant to SMC 23.42.112. Additional development on these unit lots in this subdivision may be limited as a result of the application of development standards to their parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.”*

#### Summary – Short Subdivision

The lots to be created by this unit subdivision would meet all minimum standards of the LDT zone set forth in the Land Use Code for short plats and unit lot subdivisions. As conditioned, this short subdivision could be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal could be provided for each lot and service is assured, subject to standard conditions governing utility extensions.

#### **DECISION - SHORT SUBDIVISION (UNIT SUBDIVISION)**

The application to subdivide two (2) parcels into six (6) unit lots is **CONDITIONALLY APPROVED.**

#### **CONDITIONS - SHORT SUBDIVISION (UNIT SUBDIVISION)**

Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Submit the final recording forms and fee.
2. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision (unit subdivision) shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. All existing structures shall be shown on the face of the plat, and their distances to the property lines dimensioned. Lot areas shall be shown on the plat.
3. Add the conditions of approval to the final recording documents.
4. Outline on the face of the short plat: the legal descriptions for the existing and proposed lots, the location of existing utility lines on the face of the plat, and all utility and common area easements. The Seattle City Light easement in its entirety (typically referred to as "Easement A") shall be shown on the final recording documents. Finally, the water line easements described in Water Availability Certificate #2002-1070 shall also be shown on the final recording documents.
5. Provide a joint use and maintenance agreement for common easements and shared walls on the final recording documents.
6. Provide a notation on the short plat to read as follows:

*"The unit lots shown on this site are not separate buildable lots. Additional development on these unit lots in this subdivision may be limited as a result of the application of development standards to their parent lots pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."*

Signature: \_\_\_\_\_ (signature on file) Date: June 5, 2003  
Leslie C. Clark, AICP  
Land Use Planner